IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.8807 OF 2004

Shri Vivek Sahebrao Jadhav, .. Petitioner

Vs

1. The President,

Girna Education Society and ors .. Respondents

Ms.K.A.Bhatia, for the petitioner.

Mr M.H.Solkar, AGP for the respondents.

CORAM : D.B.BHOSALE,J.

DATE : 13th December, 2004.

PC:

1. Heard the learned counsel for the parties.

2. The petitioner has impugned the order 2.8.2004 passed by the School Tribunal, Nashik Region, allowing the appeal without passing an order of reinstatement of the petitioner. It is clear from the observations made in paragraph 8 of the judgment that the respondent-management has closed the school. Ms Bhatia, learned counsel for the petitioner, submits that the closure of the school is contrary to the provisions of Rule 26 of M.E.P.S. Rules. I am afraid, this contention of the petitioner cannot be entertained and examined in this writ petition. The closure of the

school has not been disputed by the petitioner at all. In view of this, I am not inclined to entertain this writ petition. The writ petition, therefore, fails and is dismissed as such. At this stage, Ms Bhatia, learned counsel for the petitioner, submits that the petitioner may be given liberty to challenge the closure of the school in appropriate proceedings. It is open for the petitioner to adopt appropriate proceedings against the closure of the school.

. A copy of this order may be made available to the parties.

(D.B.BHOSALE, J.)